



**NOTICE OF CITY OF ELEPHANT BUTTE
CITY COUNCIL MEETING**

103 Water Avenue, Elephant Butte, NM 87935
Wednesday, September 20, 2023 – 2:00PM

AGENDA*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Mortensen called the meeting to order and led the pledge of allegiance.

2. ROLL CALL

Mayor Phillip Mortensen – Present
Mayor Pro Tem Kim Skinner – Absent
Councilor Travis Atwell – Present
Councilor Cathy Harmon – Present
Councilor Edna Trager – Present

3. APPROVAL OF AGENDA – Council Declaration of Conflict of Interest

Councilor Trager made a motion to approve the agenda as submitted. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

4. PUBLIC COMMENT

**STATEMENT OF OPEN MEETINGS RESOLUTION & 3 MINUTE LIMIT PER SPEAKER
ON ALL ISSUES**

Public comments can be made in person, by phone or given to the City Clerk email (cityclerk@cityofeb.com) before the meeting.

No Public Comment.

5. CONSENT ITEMS

None currently.

6. APPOINTMENTS

a. Zoning Commission Board Letters of Interest

Mayor Mortensen made a recommendation to appoint the applicant received for the Zoning Commission Board, Christine Logan.

Councilor Trager made a motion to approve the mayor's recommendation to appoint Christine Logan to the Zoning Commission Board. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes

Councilor Harmon – Yes

Councilor Trager – Yes

Motion Carried.

7. PRESENTATIONS

a. Sierra County Sheriff's Office – Sheriff Joshua Baker

No Representative Present.

b. Bohannon & Huston – David Shields

David Shields gave the City Council an update on all current and upcoming projects within the City of Elephant Butte.

8. PUBLIC HEARING

a. Haddow Family, LLC – Lickity Split – Conditional Use Business Registration Storage Lot

The City of Elephant Butte City Council entered into a Quazi Judicial hearing regarding Haddow Family, LLC – Lickity Split – Conditional Use Business Registration Storage Lot.

This hearing was for the approval of this conditional use business approval.

City Manager Mascaro swore in all parties who wished to present during this hearing, Land Use Administrator Cobleigh, Matt Myers, Aaron Haddow, and Jim Brown.

LUA Cobleigh presented on behalf of the City of Elephant Butte.

Matt Myers presented on behalf of Haddow Family LLC dba Lickity Split.

Jim Brown spoke during public comment in opposition of this business proposal. Brown quoted ordinance 186 which was an ordinance placing a 6-month moratorium on storage lots. This moratorium has long sense expired and has no baring on code within the City of Elephant Butte.

City Clerk Cobleigh made the staff recommendation to approve this request.

Councilor Harmon made a motion to approve Haddow Family, LLC – Lickity Split – Conditional Use Business Registration Storage Lot. Councilor Atwell seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes

Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.
Hearing Closed.

b. Dianne R. Gors – General Land Use Permit Extension Request & Readdressing of Property

The City of Elephant Butte City Council entered into a Quazi Judicial hearing regarding Dianne R. Gors – General Land Use Permit Extension Request & Readdressing of Property.

This hearing was for the approval of this General Land Use Permit Extension Request & Readdressing of Property.

City Manager Mascaro swore in all parties who wished to present during this hearing, Land Use Administrator Cobleigh, Dianne R. Gors, and John Post.

LUA Cobleigh presented on behalf of the City of Elephant Butte.

Dianne R. Gors presented on behalf of herself.

John Post presented on behalf of Dianne R. Gors.

City Clerk Cobleigh made the staff recommendation to take this deliberation into executive session.

Councilor Harmon made a motion to enter into executive session to discuss item 9b. Councilor Trager seconded the motion. 3-0.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

Councilor Harmon made a declaration that the only item discussed was item 8b and no action was taken.

Councilor Harmon made a motion to deny General Land Use Permit Extension Request & Readdressing of Property. Councilor Atwell seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes
Motion Carried.
Hearing Closed.

For clarification of the record, City Clerk Cobleigh stated that item 9b had been unanimously denied for both the extension request and the readdressing of the property.

9. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Changing Water Ave. to Barnes Blvd.

Mayor Mortensen brought this item for discussion with the Council as City Staff. City Clerk Cobleigh brought up that this proposed change could cause some confusion and unneeded delays with grant funding, colonias funding, etc. as our physical location has been 103 Water Avenue for the past 25 years. City Manager Mascaro mentioned that a memorial street sign could be placed along with the regular legal street sign to show honor without changing anything. Mayor Mortensen agreed that the change would be burdensome but does want the honorary memorial sign placed.

- b. Discussion/Possible Action: Removing Stephen Archuleta as a signer on First Savings Bank accounts.

City Manager Mascaro brought this item before the council to approve the removal of the previous City Manager, Stephen Archuleta, as a signer for the City's bank accounts at First Savings Bank.

Councilor Trager made a motion to remove Stephen Archuleta as a signer from the City of Elephant Butte's bank accounts at First Savings Bank. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

- c. Discussion/Possible Action: Resolution 23-24-106 BAR #1 FY23-24 Fire Grant Rollover.

City Treasurer Saavedra introduced this item to the Council for approval. This item is the request to adjust the fire grant line item to properly reflect the remaining rollover balance of the fire grant.

Councilor Harmon made a motion to approve Resolution 23-24-106 BAR #1 FY23-24 Fire Grant Rollover. Councilor Trager seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

- d. Discussion/Possible Action: Resolution 23-24-107 Water Trust Board Agreement

City Manager Mascaro introduced this item to the Council for approval.

Councilor Harmon made a motion to approve Resolution 23-24-107 Water Trust Board Agreement. Councilor Atwell seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

- e. Discussion/Possible Action: Bid Award – Warm Springs Blvd. M.A.P Project Phase 2

Mayor Mortensen recommended that this item go back out for rebid. The council and staff had a brief discussion of the bids that were received for this proposed project.

Councilor Harmon made a motion to send this project, Warm Springs Blvd. M.A.P Project Phase 2 back out for rebid with no award of bid today. Councilor Atwell seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

- f. Discussion/Possible Action: Bid Award – Sierra County Regional Wastewater Collection System Phase 4B

Mayor Mortensen recommended that this item go back out for rebid. The council and staff had a brief discussion of the bids that were received for this proposed project.

Councilor Harmon made a motion to send this project, Sierra County Regional Wastewater Collection System Phase 4B back out for rebid with no award of bid today. Councilor Atwell seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

- g. Discussion/Possible Action: Change October Council Meeting Date to October 11th or 25th 2023, due to staff training.

City Clerk Cobleigh introduced this item to the council for approval. Cobleigh informed the council that she and several other staff members as well as council members will be out of the office for training during the regularly scheduled council meeting of October 18th, 2023. Cobleigh suggested the later date of October 25th, 2023, as a preferred date for staff.

Councilor Atwell made a motion to move the regularly scheduled City Council meeting from October 18th, 2023, to October 25th, 2023. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Atwell – Yes
Councilor Harmon – Yes
Councilor Trager – Yes

Motion Carried.

10. ELEPHANT BUTTE CHAMBER OF COMMERCE REPORT

No Representative Present.

11. MAYOR AND COUNCIL REPORTS

No Comments.

12. CITY STAFF REPORTS

a. City Treasurer

Kristin Saavedra went over her presented report with the City Council and Mayor. Saavedra stated there will be a need for Budget Adjustments at future meetings. Saavedra noted that she will be following up with Revize on the new website. Caselle is requiring a questionnaire be completed to begin the merge of data. Saavedra noted the new time clocks have been received and are in place and employees are using them.

b. City Clerk

Lindsey Cobleigh went over her presented report with the City Council and Mayor. Cobleigh stated that all but 18 businesses have renewed for the FY23-24 business year. Cobleigh stated second notices will go out the end of September, if there is no compliance at that point there will be an issued citation. Cobleigh stated there has been an increase in IPRA's over the past few weeks. Cobleigh stated that she is currently working on the organization of city owned assets of all vehicles and properties. Cobleigh noted to the council that she will be bringing a request for amendment to the golf course ordinance to have it off of fiscal year rather than date to date. Cobleigh stated that she will be attending Clerks training in October. Cobleigh stated that the reason that the meeting minutes for August were not on this meeting was the audio cut out halfway through.

c. Land Use Administrator

Lindsey Cobleigh updated the Mayor and Council first with a code report that included 8 active violations throughout the City of Elephant Butte. Some of the violations included vacant lots being used as storage lots, lighting issues and concerns, and junk vehicles.

Mayor Mortensen commented on the work that city staff had done on cleaning up Skyline Drive. LUA Cobleigh noted that there had been quite a few violations on Skyline, noting one more came in that morning.

Councilor Trager asked about the follow up on the 6 properties that were brought up during public comment at the previous meeting. All of these are on Springland Blvd. LUA Cobleigh stated that she only found 2 properties in violation on Springland Blvd.

LUA Cobleigh reported to the Mayor and Council that since her last detailed report there have been 24 issued permits in the Land Use Department. The Land Use Department is up to 115 issued for the year. LUA Cobleigh stated there was two new home builds and the EV Chargin station at the Marathon Gas Station.

Councilor Atwell asked about the detention pond at the Marathon Gas Station and what the plan was to have it corrected. LUA Cobleigh stated that Chief Mascaro and herself plan on sending a letter to the property owner to have an in person meeting with him regarding the concerns and code compliance.

d. Fire Chief

Chief Mascaro updated the City Council and Mayor on the last month of Fire and EMS response within the fire district, there were 32 EMS calls, 4 MVAs, 2 gas leaks and 2 miscellaneous call outs for service. Elephant Butte Fire Dept. mutual aided Spaceport America for launch number 3 which was a safe and successful launch. Mascaro stated they will be back the second week of October for launch 4. Station 1 rebuild is receiving all plumbing and utilities at this time prior to the concrete pad being poured. The State Fire Marshalls Office came in to inspect the Station 1 rebuild to make sure it follows compliance, it does. EMS class starts October 2nd at the Fire Admin building 4 nights a week, with 6-7 participants. Mascaro opened this class to all departments within the county. Mascaro stated that one main issue that the fire department is running into is the misaddressing of properties.

e. City Manager

John Mascaro briefed the City Council and Mayor on the federal water line inspection that had previously been discussed. Public Works employees have been working on this project already by pinning and locating all active water cans within the city's water district. The city and BHI are looking into grant funding to aid in this project with obtaining the proper equipment to get this done timely. Mascaro brought up the subject of utility easements within the city. Mascaro stated that there has been quite a bit of confusion between property owners and city staff on who is responsible for the maintenance of the easements. Mascaro stated that there are numerous commercial properties that have utility easements that are overgrown and a hazard and there is no maintenance being done by either the property owner or the city staff. Mascaro stated that the current administration in the office is attempting at getting the community used to abiding by the city code. Councilor Trager noted that even though these codes are old it will be new to the residents since they have not been educated on the codes and what they are responsible for maintaining. LUA Cobleigh mentioned that the enforcement of

easement maintenance has been done since she has been with the city, but the confusion is that there are two conflicting points in code regarding easements and who is responsible for the maintenance.

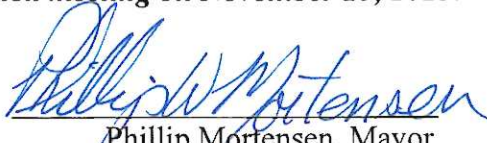
13. COUNCILOR COMMENTS

Councilor Harmon wanted to thank A Mountain that is currently contracted on the San Andres/Ocotillo Project. Councilor Harmon mentioned that they had worked with her on making sure she still had access to her parent's home during the construction of the curbing going in.

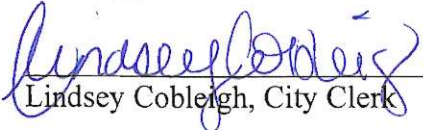
14. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on November 15, 2023.


Phillip Mortensen, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk

